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SUMMARY OF NEWS.

—181—

Politics of Europe.

It would furnish ample employment for any one person who could devote himself exclusively to such a task, to collect together, for the purpose of exposing it, the choice portions of nonsense which find their way into the columns of the public Papers in the course of every week, sometimes in the remarks of the Editors, and at others in those of the London Papers which they copy into their own, without disapprobation. In the *India Gazette* of yesterday is an article from *Bell's Weekly Messenger* of April 23rd, on the Report of the Committee on Foreign Trade, which contains perhaps as much of this as could be well compressed into so small a space. It is first said that Ministers intend to second the recommendation of the Committee in simplifying the Laws of Revenue, Navigation, and Registry, but beyond that they will not go, as it is their determination to adhere to the old system of Restrictions, "on which the Commerce and Trade of the Country have hitherto sufficiently flourished!" This is said when the Gazettes are filled with Bankrupts, the Towns with starving Manufacturers, the Harbours with dismantled Ships, and the Table of the House of Commons with Petitions complaining equally of Agricultural and Commercial Distress. The Economists are next called a "Sect," and their "error" is said to be that of "trying every thing by economical principles and directing the whole system to the two ends of increasing produce and lessening expense." This is really an error into which we should like to see the Government fall as quickly as possible, and the longer they remained under its influence the better. "There is one answer" says this wise Politician "in a word to the whole of this System," which is, "that we have numerous other interests besides mere saving and produce; besides mere gain and economy." Then comes the mighty secret. "We have the main and vital interest of the support of good GOVERNMENT, which can only be maintained by a good and efficient revenue—we have an interest in our national defence—we have an interest in foreign alliances, and we have an interest in our constitution of a limited monarchy, which requires us to extend a degree of favour and preference towards the aristocracy of the country, and therein to the support of the landed interest beyond their equal consideration under mere economical principles." "To say all in word," continues this profound writer "our existing system of commerce is so interwoven with so many interests, and administers to so many necessities that it is the extreme of folly as well as pedantry, to try it upon the simple criterion of mere economical principles!"

If an individual were largely in debt, and his income inadequate to the maintenance of his former large establishment, all the servants about to be discharged would no doubt find out that the existing system of lavish expenditure was closely interwoven with their interests, and administered daily to their necessities; but it would be thought strange if this were considered equally beneficial to the Master and his Creditors!—The climax of absurdity is however in this writer's contending that the Government can be only supported by a good and efficient Revenue, and yet when the means of making that Revenue more efficient than even are pointed out by showing how the Government may increase its receipts and diminish its expenditure, he protests against a system of mere gain and economy—"two very good ends," he says, "if a State had no other interest but cheap and plentiful living, if national defence were not as necessary as national abundance, if friends and allies were

not needed in public as well as in private life; and as if a monarchical constitution has no other interests besides a full purse and a flowing cellar"—If England had *there*, instead of an empty purse and clamorous creditors, she might command all besides;—and national defence at home, and friends and allies abroad, can best be commanded, we imagine, by the national abundance which is here thought so lightly of.

If the Editor of *Bell's Weekly Messenger* were to be Chancellor of the Exchequer, he certainly would not be guilty of the folly and pedantry of studying Political Economy; and the curse of a full "purse and a flowing cellar" would not be likely to light on the nation during his administration. The Ministers, who think that "under the old System," which has left us nearly a thousand millions in debt, "the Commerce and Trade of the Country was sufficiently flourishing," and who are therefore determined to adhere to it, are worthy of such an advocate.

"Happy England!" as the *Hukku*, (*Mr. Bell's Echo*), exclaims, "where, with the exception of a few who are at all times to be found opposed to Peace and GOOD Government, the good and manly sense of the People, enables them to discover the PRECISE POINT, when for the GENERAL advantage PRIVATE Liberty should be checked; and where the SAME GOOD SENSE teaches them, however, their passions may be temporarily inflamed, in the end their best interest consists in obedience to the Law, and RELIANCE ON THE INTEGRITY AND JUDGMENT of their Representatives."

Happy England! indeed, we may repeat, where all that it is necessary to complete happiness, is for the people to be starved and imprisoned without a murmur, to sacrifice their private liberty for the public good, and to rely entirely on the integrity and judgment of their exemplary, honest, and worthy Representatives!! To die in a ditch in such a blessed country must be better than to live in a palace in others; and all who afterwards quit it—either for the Settlement of Government at the Cape, or on their own adventures elsewhere,—deserve every ill that may befall them.

We have not room to expatiate on the ineffable absurdities of *John Bull in the East*, on the same subject;—but there is this to be said in his favour that he is exercising a new craft, and may be excused for bungling in his first efforts. Though five years a "Public Writer," as he styles himself, the doctrines he now teaches and defends were never before thought worthy of his advocacy, as the pages of his former Papers will shew. How and why he has all at once become blessed with the new light, and become a prop of Social Order and our Holy Religion, is a matter between God and his own conscience, with which we shall not presume to meddle. But when he prides himself on "judging from the private representations of public opinion," which must be singularly accurate and valuable, and when he says that "the ultra-endings you made both in and out of Parliament to increase the embarrassments of the country will be speedily viewed with unmixed contempt by the numbers who have been hitherto deluded by their speciousness," we do not know what to make of him, and think there is yet a little of the old leaven of Radicalism couched under these ambiguities.

Amidst more of wordy nothingness than is to be got through without nodding, there is sometimes inadvertently and accidentally to be found a stray paragraph worth quoting; and when pearls are thrown before swine, a passer-by who could perceive their value ought not to be ashamed to rescue them even from the dunghill.

The following is one of that description, which closes a Paper on the Present State of the Press, where "blasphemy and sedition," with all their usual appendages, figure in every possible variety of hue and shape, but where there is this testimony as to the value of a Free Press, which, coming from the pen of one who is an object of even *John Bull's* eulogy and admiration, will not be suspected of too great a leaning to liberality of sentiment:—

"Notwithstanding the numerous evils of our Free Press, we are very far from wishing (says this Advocate quoted and eulogised by *John Bull*.) that it should be restrained by any other species of means than those which the wisdom of our LAWGIVERS has already provided. We yield to no man whatever in a jealous and watchful regard for its privileges. It would be a *drearyf necessity*, indeed, which could reconcile us to the loss of ANY PART OF THEM. Much rather would we endure *all the tumults* that ever have agitated our country, than purchase tranquillity by such a SACRIFICE. We trust to the patriotic use of these privileges as the surest means of resisting their dangers—we look with confidence to that confliction of opinions and principles, in which *Truth has always prevailed*. We are convinced that if our sentiments are ever subjected to the DEGRADING RESTRAINTS OF CENSORSHIP, we shall not owe it more to the pernicious activity of the enemies of social order, than to the languid apathy of its friends."

We say "Amen"—and tho' PERDICCAS, VINDEX, and all the BULLS and HURKARUS that ever roared or ran, should contend against us, we believe that it is in India alone that so odious a restraint could be desired by *Englishmen*, after it had been abolished in the free countries of Europe, and after the Ministers of our own, had shewn themselves angry and ashamed at being thought capable of entertaining the base idea, at a moment too of the utmost danger, even for a quarter of an hour!

The following very singular case of the "Transmission" of a "Vagabond" from Naples for "Misbehaviour," of which of course the Austrian Commissary of Police was the only Judge, is taken from the *Madras Gazette* of Sept. 1, 1821, which came to hand on Sunday. It may have escaped the Censor at Madras, but having appeared there, it may safely be repeated here, and we introduce it with the Madras Editor's comment, instead of offering any of our own.

Transmission from Naples.—"Mr. Peel, a relation of Sir Robert Peel, resident in Leghorn as a British Merchant, has been compelled to quit that City in consequence of his having, during the late contest with the Neapolitans, expressed his disbelief of the contents of one of the Austrian Bulletins.

Mr. Peel has remonstrated, and protested his innocence,—but all to no effect.—We most sincerely hope this unwarranted insult to a British Subject by a Power under the dominion of the Austrian Government, will not be allowed to pass without notice, but that it will be brought forward in the House of Commons and reparation insisted upon. This is indeed a grand proof of the great benefits resulting from an Alien Act in a Foreign Kingdom, which has been so much admired at home, and instituted in our once free country by the present Ministry !!!"—*Madras Gaz.*

The following is a detailed account of the circumstance from the English Papers.

Leghorn, April 3.—An affair has happened here within the last ten days which has excited a great sensation, and created no inconsiderable alarm among the English residents in this port. On Saturday week, Mr. Peel (nephew of Sir Robert Peel, and a cousin of the late Secretary for Ireland), who has been established as a merchant here since 1814, ~~rec'd~~ ^{rec'd} an order from the Police, signed by the Governor, to quit ~~the~~ ^{the} town of Leghorn and the Tuscan territory in 24 hours. Surprised and confounded by such an arbitrary act, which might involve the ruin of his character and his business, which had been preceded by no notice and called for no explanation, he immediately proceeded to the Commissary of Police, to inquire into the cause of it. He told the Commissary that he was conscious of having done nothing to excite suspicion, far less to justify such severity, and begged respectfully to know the nature of the charge against him, and the evidence by which it was supported. From the Commissary he could obtain no in-

formation. He was merely told in vague and general terms that he was considered a bad subject, and that every thing going on in his house was not right. This charge against his morals was the last thing that Mr. Peel could have expected, as, besides his never having heard before that the Tuscan Police exercised the functions of the old Roman Censorship, he was conscious of having committed no offence against the decencies and proprieties of life. From the Commissary of Police he proceeded to the Governor (Marquis Spannochi), a respectable old Tuscan Nobleman, who occupied the same post which he does now before the arrival of the French, who is married to an English lady, and is a great friend to the English merchants. The Governor could do nothing in the business, though he expressed every desire to oblige. He, however, gave Mr. Peel to understand that the reasons of his treatment might not be so much moral as political. Mr. Peel begged to have a passport for Florence, that he might have an opportunity of representing his case to the English Minister at the Tuscan Court. The order for leaving the Tuscan States he was told was peremptory, and could not admit of his proceeding to the capital. He, however, obtained a passport for Lucca, which, by one road, is on the way to Florence, and when he arrived there he had no difficulty in getting it directed for that city. At Florence he waited five or six days, applied to all the Ministers through the medium of Lord Burghersh, and could get no information on the cause of his harsh treatment. Neither the Prime Minister, the Minister of *Buon Governo* (or the Interior), nor the Head of Police knew any thing against either Mr. Peel's morals or his politics. He therefore returned on Friday or Saturday last, with a passport for Leghorn, thinking that as at head-quarters he stood charged with no offence, and as the local authorities could state no definite charge, he might pursue his business without further molestation. He, however, had not been more than a day in Leghorn when he received a peremptory order to quit Tuscany in the space of twelve hours. Again he applied to the Governor, but could obtain neither a mitigation of his sentence, nor a specification of his offence. His Excellency entered into the most friendly conversation with him, and professed his sincere desire to oblige him in any way consistent with his duty, but said he could not contravene the orders of his superiors; that, had he at first observed his name in the list of the proscribed, he might have made a representation in time to have it cancelled, but that now no interference could succeed, as the abandonment of an order twice issued would argue either original precipitation or subsequent fear in the Government, neither of which could be allowed to characterize the Government of the Grand Duke. In the course of conversation his Excellency asked him if he had not been sometimes incautious in speaking on political topics, and whether he had not called the first *Bulletin of the Austrian successes against Naples false and exaggerated statements*. This let Mr. Peel at once into the secret. He himself declares, and his friends vouch for the fact, that he has always been particularly cautious in speaking of political subjects; but when the Austrian bulletins were industriously and officiously hawked about the streets, he may have said that his correspondence direct from Naples did not support their assertions of the total disorganization of the Neapolitan force. Thus, to evince the blessings of a perpetual Alien Act (and, by the bye, the Alien Act of England was quoted by the Authorities here as a justification of their own rigour against Mr. Peel), to shew the benefits of an arbitrary government, and the danger of doubting Austrian veracity, an English merchant, who has committed no tangible specific offence, is, subject to the loss of his business, and perhaps the ruin of his fortune, to be banished from the port of a friendly power without the power of obtaining either explanation or redress. The British factory here, and the general body of British residents, have seen the magnitude of the inconvenience, and the extent of the danger which this treatment of Mr. Peel warrants them to apprehend, and have taken up the matter accordingly. There had been several meetings of the factory since Mr. Peel's second order to depart; and this forenoon they agreed on a memorial to be presented to the Tuscan Government, thro' the medium of our Minister, Lord Burghersh. In this document, after complimenting the general mildness of the Tuscan Govern-

ment, they represent, in strong but temperate language, the alarm excited in the minds of each at a danger which threatens all; the injury that may accrue to their trade from the mistrust of their constituents in England, whose property might suffer in their hands by their sudden dismissal from its management, and the impossibility of carrying on business without security from arbitrary acts of authority. In conclusion, they pray that if the Government may not see proper to retrace its steps regarding Mr. Peel, it will at any rate give a kind of assurance against their repetition. The government of Tuscany is by far the mildest of Italy. As administered under the present Grand Duke, it has hitherto committed few arbitrary and still fewer rigorous or cruel acts; but still it is *absolute*; and the people enjoy no security that it may not be oppressive. That it is, and will be, completely under the domination of Austria, may be inferred both from the power of that empire and the relationship of the families. To doubt an Austrian bulletin, was banishment for a British subject; and certainly would have been something more severe for a Tuscan. Spies were employed at Leghorn to sound British merchants on their opinions regarding the contest with Naples. The merchants complain of the stagnation of trade as they do in England.

English Government and Constitution.—Lord John Russell has just published a most valuable and interesting Essay on the History of the English Government and Constitution, from the reign of Henry VII. to the present time.—Lord John, in a short advertisement, says—

“The design upon which the following Essay was written, comprehended much more than has been yet accomplished. It was my object to illustrate, by an analysis of the history of the Governments of modern Europe from the commencement of the 15th century, two very plain, but somewhat neglected truths. The first is, That the Monarchies of the Continent of Europe have been, generally speaking, so ill adapted to make their subjects virtuous and happy, that they require, or required complete regeneration. The second is, That the Government of England ought not to be included in this class; that it is calculated to produce liberty, worth, and content among the people; whilst its abuses easily admit of reforms consistent with its spirit, capable of being effected without injury or danger, and mainly contributing to its preservation.

The latter portion of this work is the only part (except an introduction to the whole) that I have finished. The reason why it is thus prematurely published without sufficient conception or correction, is to be attributed to the vanity of imagining that it may at this period be of some service. It may at least provoke the wits, and excite the thoughts of other men to a more happy attention to subjects in which every member of this free community has an interest of the deepest importance.”

With this modest preface the Noble Lord enters into the most plain and concentrated review of the British Constitution that has ever come before the public eye, and by a careful perusal of this little volume, it will be seen how truly rational, moderate, practicable and safe, the opinions of the Whigs are for the reform and preservation of the system, for the existence of which, we are indebted to their ancestors.

London, May 9.—We have been gratified with a sight of the box made by order of the city of London for Mr. Brougham, in consequence of his intrepid and eloquent defence of the Queen. The value of the materials makes the present worthy of the donors, while the fine taste and exquisite skill of the workmanship render it an appropriate ornament for its intended possessor. Heart of oak and the purest gold are the principal materials, but *metierem superat opus*—art has for once obtained the victory over nature; the beautiful execution of the artist makes the materials of secondary consideration. The city arms—in themselves a somewhat formal appendage—become graceful from the fanciful decorations by which they are surrounded, while a wreath of oak-leaves and acorns forms a fit and elegant accompaniment to the arms of Mr. Brougham. To those who may have an opportunity of seeing the box in question, we cannot give a better idea of the beauty of design and excellence of execution which characterize its decorations,

than by saying that they reminded us of one of Scotland's most graceful vignettes, engraved in the best manner of Landseer. Mr. Samuel Jones, of Cheapside, is the jeweller who has been employed on this occasion, and who is preparing similar boxes for Mr. Denman and Dr. Lushington.

Birth Extraordinary.—Lately, in the neighbourhood of Dunkevin, county Limerick, the wife of Patrick O'Fielan, of four sons and a daughter, all living, and, though delicate, likely to live; the mother is as well as can be expected. Sixteen months before, she had two daughters and one son at a birth, thus blessing Paddy with eight children in a year and a half. Potatoes are 1d. a stone in that neighbourhood!

Formation of the Globe.—In Europe, Asia, Africa, and America, the greatest portion of land is to the Northward of the Equator, there being so small a proportion of land to the Southward of the Line to counterbalance the weight to the Northward, that a French Philosopher was induced to write a Book to prove the existence of a Southern Continent, in which opinion that great Geographer, the late Mr. Dalrymple, coincided. Another Frenchman wrote a Book in reply, “that all the precious metals were towards the South Pole, and the sea not so deep as generally imagined.” At last this point was determined by the Abbé de la Caillie (see Mr. Barrow's Account of Southern Africa, vol. 1,) who measured a degree of the Meridian from the Cape of Good Hope to the Northward. “He discovered that the Radii of the parallels of Southern Latitudes were greater than the Radii of the same parallels in the Northern Hemisphere.” From whence it follows that the Southern Hemisphere is more elevated than the Northern, which accounts for the greater degree of cold in the same Latitude in the Southern Hemisphere; because if our London and the plain around it was elevated a geometric mile, or 6,084 feet, how much colder it would be than at present?—The Southern Hemisphere being so much elevated balances the land in the Northern Hemisphere. Any point at the Equator moves at the rate of 16 2-3ds in a minute of time, owing to the diurnal motion of the Globe. Is this velocity for no purpose? or does it occasion a whirlpool at each Pole? The diameter of each being 32 miles, the excess of the Equatorial diameter beyond the Polar—the ice at the Poles falling into the whirlpools, will adhere together and in its distant ascent form those stupendous masses of ice called Ice Bergs, which are driven Southerly from the North Pole, and Northerly from the South Pole, by currents formed by the re-action of the whirlpools, and the Ice Bergs floating into warm latitudes soon dissolve. This is perhaps one reason for the formation of Ice Bergs; for field ice could not otherwise be packed so high, nor could it any other way be so easily moved and melted.

Naples.—Private letters from Naples favour the idea that the Austrian troops will occupy the kingdom of Naples longer than was at first supposed. A selection is now in progress of the troops best adapted to the climate and most likely to assort to the habits of the people; the rest are removed to the north of Italy. The Neapolitan army, except the guards, have been dissolved; and the Austrians, who are to perform the military duty, are to receive the pay of the native troops. The necessary funds will be raised in a way the least calculated to give offence to the people, who have an inveterate hatred to any thing in the shape of taxation.

Music Shops.—Little more than half a century ago, there were but three shops in London for the sale of music and musical instruments, viz. two in Strand and one in St. Paul's Churchyard: and at the present time the number exceeds three hundred.

Currents of the Ocean.—The following document was inclosed in a bottle, and thrown into the sea just twelve months ago. It was taken up on the shores of Martinique, on the 4th of February last. The bottle had thus travelled a distance of 2,500 miles in about ten months, 250 miles per month, or eight miles per day. We give a copy of this instructive document, with the notice subjoined:—“The bottle which contains this card was thrown into the sea in lat. 5 deg. 12 min. S; long. 24 deg. 40

min. W. at noon, on the 28th day of March 1820, from the ship *Ospray*, of Glasgow, which sailed from Greenock on the 26th of February, on a trading voyage round the world. Whoever finds this is requested to insert a notice of the time and place in some literary or political publication, with a view of establishing facts relative to currents of the ocean.—“All well.” This bottle was found on the 4th of February 1821, near the eastern point of the Salines, quarter of St. Ann’s, Martinique, in the best order, as will be seen by this paper, which it contained.

*St. Pierre, Martinique, } T. BOURANT, Printer and Director
February 26, 1821. } of the General Post Office.*

Coronation.—Numerous reports (says an Evening Paper of May 12) are circulated on this subject, and it appears certain that there are serious intentions of celebrating it during the ensuing summer. It is whispered, however, that her Majesty has embarrassed Ministers, by requiring that a proper situation should be provided for herself and suite to witness the ceremony. A negociation is said to have been set on foot, for some time, to obviate this difficulty, but that her Majesty will listen to nothing unless her name be first restored to the Liturgy. The 18th of June was named as a fit day for the coronation, that being the anniversary of the glorious victory at Waterloo; but as it was found that the 18th of June woud come round before the House of Commons should have terminated the Session, that day would not be convenient, as every Member would have a right by custom to demand provision for himself and family. It now seems that the 12th of July is the day fixed, and the coronation will certainly take place, if the difficulties which have been mentioned, can be surmounted.

Marines.—Caps are to be worn, in future, by the Marines, instead of hats.

Boyd, Benfield, and Co.—The estate of Boyd, Benfield, and Co. against which a commission was issued many years back, it is said is now enabled to clear itself and leave to the surviving partner, Mr. Boyd, a surplus of 80,000*l.*

Madame Fodor.—The fashionable friends of *Sir Peter Teazle* reasonably enough pronounced him to be a very incautious man, for walking abroad with a bullet in his thorax. But poor Madame Fodor, whose decease has been announced in all the Journals, and who, it has been stated, was interred with great musical pomp in the cemetery of Le Pere de la Chaise, on the 24th of March, has, in imprudence, gone far beyond *Sir Peter*; for notwithstanding her death and funeral, and though she was actually seen on the 26th in the Elysian Fields, yet she engaged to appear at the Theatre Italien on the following Wednesday!

Tame Hare.—The following account reminds one of the interesting history given by the poet Cowper of the three hares which that amiable man reared in his house; it is appended to the “*Task*:”—A Gentleman of Dartmouth has now in his possession a hare, three months old, which is so tame that it will play with the dogs belonging to him; who, in return, will lick the hare without showing the least disposition to injure it. He feeds it on parsley and bran. At the word of command the hare will stand on its hinder feet, or beat, on a piece of paper, a regular *tat-toe*.

Progress of a Lie.—A gentleman who had been at Mr. Belzonis’ exhibition on Tuesday, (which we rejoice to say, was, as it deserved to be, most numerously attended,) on coming down stairs observed, that he should not wonder if 1200 persons came there within half an hour. A listener caught the sound, and in another minute, repeated, that 1200 persons had been to see the tomb during the last half hour. A lady soon after issued from the Water-colour Exhibition, and the statement had risen, according to her version, to the fact of 1200 persons having been up stairs every half hour since the door opened. At five o’clock, we happened to look in, and we found that an ingenious calculator had, on these premises, made the following calculation:—“From 10 to 5, are 7 hours or 14 half hours; during each of these, 1200 persons at 2*s. 6d.* £ 150. The sum total received has been exactly two thousand one hundred pounds, exclusive of catalogues!”—*Literary Gazette*.

Sonnet to Italy.

(*Examiner.*)

When on bleak Jura’s hills I stood, and saw,
O Italy! from far those heights sublime
Which curtain thee from every ruder clime,
A feeling of deep love and nameless awe
Wrapt my bowed heart, and mutely did I draw
Reverencing breath;—thy glories in old time,—
Thy second spring yet dearer than thy prime,—
Such homage, claim, as by a natural law,
From souls which have a sense of all that earth
Can boast of grand or lovely:—But, oh God,
Still must thy consecrated soil be trod
By the polluting hoofs of dullest slaves?
No!—open on them with a thousand graves,
And stand in Majesty and Freedom forth!

ARTHUR BROOKE.

A Comical Trespass.—Two gentlemen of fashion were brought before the magistrate on Saturday, (Feb. 10) by the night constable of St. Martin’s watch-house, under the following queer circumstances:—

Lord Beetive hired a hackney chariot on Friday evening, to take him to the Adelphi Theatre; and, when there, he told the driver to wait for him till the performance was over; upon which Jarvis drew up his chariot by the pavement, took his pint of *heavy* at the next public house, and then, seating himself on some of the shop steps opposite the chariot, went comfortably to sleep. How long he enjoyed his nap did not appear in evidence; but it is certain, he was awoke by the rumbling of his own wheels—a sound, which, whether awake or asleep, he knew in a moment—and gathering himself up, and opening his eyes, he saw his chariot driving away “as if the d—l was in it.” He was very well aware, that his horses would not have so far forgotten themselves as to move without urgent reason; and therefore concluded some wag of a *ge’man*, was up to *swindling* him out of his chariot. With this view of the matter after he said “nothing to nobody;” but followed with all speed, got quietly up behind, and perceived a very dashing sort of *chap* on the box—he determined to see what he would be up to. At length the chariot was pulled up in King street, St. James’s square, the gentleman got down from the box, opened the door, and let out another gentleman, and then Jarvis presenting himself, asked them what they meant by “that ere rig?” The gentleman replied, that they meant to pay him his fare, and laugh at him for going to sleep.

The wily Jarvis, however, took their laughing in seeming good humour; and as to the fare, he observed, why perhaps they would want to go back again, and then they would pay him altogether. This they agreed to do, for it appeared they also had been at the Adelphi Theatre, and meant to return thither; and so, after taking some refreshment, they both got into the chariot; and Jarvis, mounting his box, drove them not to the Theatre, but to the watchhouse, and there gave them in charge for stealing his chariot and horses!

The gentlemen being called upon by the Magistrate for their defence, said they thought they were justified in driving the chariot themselves, inasmuch as they could not wake the coachman.

The Magistrate replied that had it been their own carriage they might have done as they thought fit; but they certainly had no right to drive away the property of another; and he recommended them to make the coachman some compensation for his trouble. It was at best, he added, but a strange and very foolish proceeding; and if the coachman had not followed, and recovered his property in the manner he did, the consequences might have been extremely unpleasant to them.

The gentlemen admitted it was a very foolish frolic, and then retired with the coachman, who eventually made a very good job of their frolicsome disposition.

MISCELLANEOUS.

—185—

Juries in Scotland.

On Friday, the 4th of May, at twelve o'clock, a meeting of the Noblemen, Freeholders Justices of the Peace, and Commissioners of Supply of the County of Edinburgh, was held in the County Buildings, for the purpose of taking into consideration Mr. Kennedy's proposed bill for introducing the English mode of choosing Juries on criminal trials, in place of their being nominated by the presiding Judge, as is the practice at present—Mr. SHERIFF DUFF in the chair.

Sir JOHN HOPE moved several resolutions, in commendation of the present system of criminal jurisprudence, and disapproving of the proposed bill.

Mr. TYTLER of Woodhouselee seconded the resolutions.

Mr. JOHN CLERK felt himself called upon to say a few words on this occasion. He never doubted that the law regarding the appointment of Juries, as it stood at present, was founded on bad principles, and unfit to be countenanced either in any civilized or uncivilized State; nor did he believe that even the framers of it thought it founded on principles of justice. At the same time that the law held out that there was no partiality in any quarter, it evidently afforded room for the exercise of partiality. He was proud to say, however, that he for one never observed any instance in which any undue advantage was taken by the Judges over the prisoner by partial conduct; but others might have observed this, and, according to his information, instances had been observed. Was it proper, then, to leave such a power in the hands of the Judges. It might be said that the fair administration of the laws would avert any bad effects which might result from them; but he was at present viewing in these laws their intrinsic nature and character, and none, he hoped, would deny that it was improper to vest such powers in any individual.

Mr. J. A. MURRAY said, that if the life or important interests of any of them were at stake in a court of Justice, they would consider themselves treated unjustly if men were allowed to sit in judgment over those who entertained towards them personal enmity; and the defect of the present law is, that persons may be put into the Jury box who do entertain feelings of hostility against the individual on whose case they are to decide. This was just the law which existed in the time of Charles I. and II. during whose reigns many judicial murders were perpetrated. It might be said there would be no such acts of injustice in the reign of George IV. But the design of the pending bill is not to remedy present evils, but to provide against all possible cases. It was rather bold for the Honorable Baronet (Sir J. Hope) to assert that the present system was never found fault with. He would recommend to him M'Lauren's Criminal Trials, in which that learned lawyer, who was most thoroughly acquainted with criminal jurisprudence, and had the honour of filling the bench, most decidedly complains of the law as it now stood, and gives instances of its baneful effects. (Here the Learned Gentleman read a few passages from that author.)—He would submit it as a clear matter, that there was at present a defect in the administration of justice, and they who wished well to the country would endeavour to remove it.

Sir A. MAITLAND GIBSON said a few words against the resolutions, after which.

Mr. JOHN CLERK moved as an amendment, that it was expedient that Juries on criminal trials should be chosen by ballot, instead of leaving the choice to the presiding Judge; that a limited number of challenges should be allowed to the Crown and to the prisoner; and that a Committee be appointed to consider the details of the bill now pending.

This amendment was seconded by Mr. J. A. MURRAY.

Mr. DEWAR of Vogrie thought the bill worthy of consideration. Every man should be allowed to challenge his Jurors in a case where his life, character, or honour, was at stake. It was true the Judge might not use his power in doing what was wrong; but he thought it was much better to prevent than cure a disease.

Mr. D. H. ELPHINSTONE admitted that the arguments brought forward by the gentlemen who had just spoke were very strong, and had made a considerable impression on his mind, but at the same time he must say they had not altered his view on the subject. Mr. Clerk, for whose opinion he had the highest value, though he had practised at the bar longer he believed than any one in Scotland, yet declared that he never observed any bad result flowing from the present administration of justice. He was, however, so impressed by what had been said, that he would perhaps give no vote on the subject, were it not that he understood this bill was intended only as a prelude to other innovations, by which it was meant to assimilate the constitution of our Courts to those of England, particularly in that point which related to the unanimity of Juries.

Mr. MOWBRAY spoke a few words in favour of the resolutions.

Mr. STUART said, that he could not help thinking, that the admitted, the acknowledged excellence of the form of our criminal trial, afforded the strongest reason for endeavouring to remove any defects

that existed in it; and the propositions brought forward by Mr. Kennedy were so clear, that every man who enjoyed the education in the power of all in this country was able to judge of their propriety. He therefore trusted this meeting would decide on them coolly and dispassionately, and free from every consideration but their own merits. The time was favourable—we were in a state of tranquillity—and there was no ferment on the subject. Two measures alone were contemplated by Mr. Kennedy by this bill. The first provided, that the 15 Jurymen on each trial should be chosen by ballot, and not by the presiding Judge, as at present. The second allowed the accused persons and the prosecutor to challenge a small number of Jurymen without assigning any cause. There was no question here as to any sweeping alteration in our criminal law, as had been supposed or hinted by some gentlemen.—The bill contained merely the two provisions alluded to, and they were so distinct and separate, that the one might be approved, and the other rejected. Both provisions were already the law of the land in civil suits, and had been introduced by the act establishing the Jury Court, by which too it is provided, that the Jurors in civil questions shall be selected from inhabitants having £100 of valued rent, or persons paying taxes on £30 of real rent. Mr. Kennedy did not even introduce the last provision into his Bill, but still left it to the Sheriffs, as formerly, to make out the large list of Jurors. He would put it to the meeting calmly and deliberately to determine, whether we should not be more scrupulous in the administration of law in criminal, than in civil suits; and yet, according to the law as now established, we were more tender in the administration of law in the latter than in the former. It was quite unnecessary for him to re-state the arguments already so powerfully brought forward by his Learned Friend, Mr. Murray, in support of the measure; but in allusion to the assertion of the Hon. Bart. Sir J. Hope, that the present system had been productive of no evil, he would again refer to the judicial murders committed by Juries packed by the Judge in the reign of Charles II. when the same system prevailed as now, and he would boldly refer to the proceeding on Mr. Muir's trial for sedition, in the year 1793. It was known to many gentlemen in the room, that a few months before Mr. Muir's trial, at a time when the minds of men were much heated on political subjects, an association, of very respectable gentlemen in the city was formed at Goldsmiths' Hall in support of the Constitution. A committee of fourteen gentlemen was formed to manage the concerns of the Association, who issued a declaration of loyalty, which was most numerously and respectably signed by the inhabitants, and, among others, by Mr. Muir. The Committee, however, on the sixth day after their nomination, erased the name of Mr. Muir and his associates, as belonging to the Societies of the Friends of the People, and published their proceedings in the newspapers. Mr. Muir objected on his trial to all the gentlemen belonging to the Association, as having prejudged his case, and having publicly denounced him, and put him under sentence of proscription. Mr. Stuart here read the objection and answers from the printed report, and stated that the objection was repelled. Nor was this all: Captain, afterwards Admiral Inglis, of Auchindinny, a gentleman well known in this county, declined being a Juryman, because he was a servant of Government, and this was a Government prosecution. (*) But the Court insisted on his remaining on the Jury; and it actually turned out, that every one of the Jury who convicted Mr. Muir not only belonged to the Goldsmiths' Hall Association, but that the Chancellor of the Jury, a respectable gentleman in this city, was one of the Committee of 14 who erased Mr. Muir's name from the Association. Mr. Stuart could not approve of such a proceeding; and, for himself, he begged to say, in the face of the Meeting, that supposing he was to be tried for his accession to the petition to his Majesty, proceeding from the Meeting at the Circus in the month of December last, he would not consider himself as being fairly tried, if the Jurymen consisted of individuals who had signed the petition lying at the Council Chamber. He believed the gentlemen who signed the last mentioned petition, at least many of

* The example of the gallant Admiral in refusing to become a Judge between an Individual, and the Government of which he was a Servant, deserves great commendation, and is worthy of imitation in other countries besides Scotland. Yet if a Servant of Government, from a high sense of honor, thinks it unjust even to act on a Jury in a legal Trial in which his Masters are the offended party, what would this Son of Neptune, even with all the leaning which every Seaman's education gives him towards arbitrary power, say to Members of a Government being Accusers, Jurors, Judges, and Executioners, as they have been lately at Naples, where men and women were flogged without Trial, because they were thought dangerous, and where a Mr. Peel, a British Merchant, has been lately sent out of the Country, because he disbelieved the Austrian *Bulletins!* In the same summary manner in which Mr. McLean, a British subject, was formerly sent out of this country, because he commented on the illegal conduct of a Magistrate! We should like to hear the gallant Admiral's opinion, as to the comparative merits of these three cases, which, if established as good precedents, would render Juries no longer necessary in any country on earth.

them, to be highly respectable. So he believed the Judges to be. He made no charge, nor insinuated any charge of corruption against any party to whom he alluded, but we were all subject to the infirmities of human nature. Judges were liable to prejudice, without perhaps knowing it; and why not take away an unnecessary power, that has been, and that may be abused. Nothing was more important than the pure administration of criminal justice, and he trusted the Meeting, in the decision now to be pronounced, would deal fairly by the people.

The SOLICITOR GENERAL said that in the whole history of legislation, there could not be found an instance of an institution which, at the same time that no existing evils could be shewn to arise from it, was the subject of complaint, and of attempts to overturn it. If there were any evils in the present system, it was not by this bill that they were to be remedied. As to the cases in 1683, which had been alluded to, it was not through the influence of the Judges over the Jurors that the judicial murders complained of were committed; any hurtful effect produced arose from the people being all tainted with a similar feeling. But he would not hesitate to say that he saw no illegality or oppression in these trials; they prevented much greater evils than they occasioned; and would any person say, looking to the trials dispassionately, that the evidence in these cases did not bear out the verdicts.

After a few words from Mr. STUART and Mr. CLERK in explanation.

Mr. GIBSON said, the Solicitor General had asserted that no bad effects resulted from this mode. He (Mr. Gibson) would bid him look to the case of Stuart, for the murder of Campbell, where juries were selected by the Duke of Argyle, and who, by having this power, contrived to get into the list twelve individuals, of the name of Campbell, all of whom were actuated by malignant feelings against this unfortunate individual, the consequence of which was, that he was brought in guilty, and condemned to death.

The votes were then taken, when there appeared—

For the Resolution.....	25
For the Amendment.....	11
Majority.....	14

The Sheriff then intimated that notice would be sent to the Lord Advocate and Sir George Clerk to oppose the bill.

FREEDOM OF COMMERCE.

AGRICULTURAL DISTRESS—CAUSES AND REMEDIES.

(From the *Scotsman*)

"The great practical rule of leaving all commerce unfettered, applies more peculiarly, and on still stronger grounds of justice, as well as policy to the corn trade than to any other. Irresistible indeed must be that necessity which could, in our judgment, authorise the Legislature to tamper with the sustenance of the people, and to impede the free purchase and sale of that article, on which depends the existence of so large a portion of the community."—Protest against the Corn Bill, signed by the Duke of Hamilton and ten other Peers.

We shortly adverted, in one of our late numbers, to the distresses of the agriculturists, and we now recur to the same subject, convinced as we are that it is one of the very greatest importance, and that the future fate of the country will be very materially affected by the nature of the measures which Parliament may adopt for the purpose of alleviating this distress. That some measures must be adopted is certain. The experience of five years has shewn the futility of the expectations of those who imagined that the corn law of 1815 would put an end to the distresses of the farmer. So far from its having had any such effect, the difficulties with which the occupiers of land have to contend are as great at this moment as in either 1814 or 1815; and as their capital has been much diminished, they are less able to bear up under them. There can be no doubt, indeed, to use the words of a resolution agreed to by the agriculturists of the county of Sussex, on the 21st of Dec. that *unless strong measures of relief be immediately adopted by the Legislature, that distress, which has already overwhelmed many, will speedily involve all the agriculturists of the kingdom in one common ruin.*" Resolutions of exactly the same import have been voted in almost every county in England, and an immense number of petitions, praying for the interference of the Legislature, have been founded thereon.

But while we distinctly admit, that the agriculturists are at this moment in a state of unexampled distress, and that they are justly entitled to look to the Legislature for assistance, we deny that the measures of which they recommend the adoption would have any tendency to alleviate their sufferings.—They seem to be unanimously of opinion, that the imposition of additional restrictions on importation is the sovereign panacea,—the only means by which they can escape utter ruin. But if

this be the only remedy within their reach, their case is hopeless indeed! For we think it may be very easily shewn, that the distresses which the occupiers of land are at present suffering, are principally, if not entirely caused by the restrictions already laid on importation, and that any addition to these restrictions would increase them in a tenfold proportion.

Were the freedom of commerce unrestricted, it is plain that the prices of corn and other raw produce, in any one country, however much it might have outstripped its neighbours in the accumulation of wealth and population, could not exceed those of the surrounding countries by a greater sum than what would be necessary to cover the expenses of their importation. Supposing there were no regulations encroaching on the freedom of commerce, the price of corn in Great Britain and France would scarcely ever differ more than 6s. or 7s. per Winchester quarter; for the expense of conveying a quarter of wheat from the northern parts of France to London, and vice versa, does not exceed 5s. or 6s. If, therefore, we were generally in the habit of importing a considerable supply of corn from France, our prices would be generally about 5s. or 6s. higher than those of that country. Even when crops in England were unusually deficient, or when a sufficient supply could not be obtained from France, our prices would sustain but a very inconsiderable advance; for if they were to rise only a little higher, it would immediately suit our merchants to import the produce of other countries in the vicinity, such as the Netherlands, the Western part of Germany, Denmark, &c. If we grew nearly our own average supplies of corn, the prices of the two countries would approach almost to a level. An unusually luxuriant harvest, either in the one or the other, would occasion an instant exportation, while an unusually deficient one would occasion an instant importation. And in this way, under a system of perfectly free intercourse, all injurious fluctuations in the prices of corn would be avoided. An abundant harvest would not sink them too low, nor would a scanty one raise them too high.

Nor is this mere gratuitous assumption. The weather, which is found to be unfavourable to the crops of one country, is invariably found to be favourable to those of another country having a different soil and climate. When moist, clayey lands suffer from a wet season, the harvests are universally rendered more luxuriant in dry, rocky districts. The excess of produce in one part compensates for its deficiency in another. And a simultaneous failure of the crops in different countries is a calamity with which humanity has not hitherto been afflicted. It is easy to confirm this reasoning, by an appeal to the most conclusive experience. In the year 1803, for example, when the crops in Great Britain were so extremely deficient, they were exceedingly abundant in Spain; so much so, that in September of that year, wheat sold in the great market of Medina di Rio Seco for only 36 reals the fanega. But the harvest of 1803, which was so extremely productive in Britain, was so deficient in Spain as to occasion an absolute famine, and in May 1804, wheat sold in the same market at 155 reals, being an advance of more than 400 per cent. on its price four years before! It is obvious, that had a free corn trade been established between the two countries, the importation of the surplus produce of Spain in 1803 would have materially relieved the severe distresses to which we were then exposed, while it would have prevented prices in Spain from falling so low as to be injurious to the farmer, while the same effects, but in a reversed order, would have been produced in 1804. But we have it in our power to appeal to a still more conclusive experience. Holland, in the days of her greatest prosperity, was chiefly fed by imported corn; and it is an undeniable fact, that the prices there were always extremely moderate, and fluctuated less than in any other country in Europe. Even during the convulsions of the last twenty years, and when her former commercial connections had been almost dissolved, prices continued extremely steady. The nations of the earth are not condemned to throw the dice to determine which of them shall submit to famine. There is always abundance of food in the world. And to enjoy a constant plenty, they have only to lay aside their prohibitions and restrictions, and to cease to counteract the benevolent wisdom of Providence.

But while the freedom of commerce is thus sure to produce plenty, cheapness, and what perhaps is of still more consequence, steadiness of price, monopoly, on the other hand, is equally sure to produce scarcity, dearness, and uncertainty. By excluding ourselves from the cheapest market for any commodity, we unnecessarily raise its price; while, by confining the consumers of corn to the produce of one particular country, we refuse to ourselves the benefit of that wise provision of Nature, for equalising the variations of climates and seasons.

It is admitted, on all hands, the cost of producing corn, as of every other commodity, must always, on an average number of years, determine its price. And, therefore, when a country which excludes the raw produce of its neighbours, advances with comparative rapidity in the increase of wealth and population, the price of its corn must become relatively high. In such a country the necessary supplies of food cannot be obtained by the cultivation of the first-rate soils only. It becomes necessary to resort to those of a decreasing degree of fertility. But as these

soils will not yield the same produce in return for the same expenditure, they would not have been cultivated, unless prices had risen to such a height as to indemnify the cultivators for their increased expenditure. Suppose that prices continue advancing in this way, until they have become equal to *double or triple* their price in the surrounding countries, and let us endeavour to ascertain what would then be the effect of fluctuations in the harvests. In such a state of things, it is obvious, that an *unusually luxuriant* crop would be productive of the most disastrous consequences to the farmer. No part of the surplus produce, it is plain, could be exported until prices had *fallen more than cent. per cent.* below their average price, or, which is the same thing, below the *expenses of their production* on the worst soils under cultivation. The misery and destruction of agricultural capital, that such a reduction of price must occasion among the farmers, is too apparent to require illustration. And if two such harvests should follow in succession, the ruin of a great proportion of the occupiers of land would be completed.

Now this is the very cause of the distresses of the agriculturists of Great Britain at this moment. During the late war, we engrossed almost the whole commerce of the world. The number of our people was increased proportionably to the increase of our commerce and manufactures; while the increased rate of freight and insurance, and Decrees of NAPOLEON, and the prohibitive law of 1804, all contributed to render us dependent on our own resources for supplies of raw produce. In consequence, tillage received a forced and unnatural encouragement; lands of an inferior quality, requiring an immense expenditure of capital and labour for their cultivation, were made to produce corn; and prices rose to *twice or thrice* the average prices of Europe.

This extraordinary rise of price would, but for the interference of the Legislature, have ceased with the artificial circumstances which gave rise to it. But the fall of prices would have been attended with a fall of *RENT*. Therefore, both landlords and farmers concurred in pressing the adoption of the corn law of 1815, by which the consumption of foreign wheat is prohibited until the home price has reached 80s. which is considerably *more than double the average price of every other country in Europe*.

It is to the adoption of this most impolitic and disastrous measure, that all the subsequent distresses of the agriculturists are to be ascribed. The average price of wheat in England and Wales in 1814 was 74s. a quarter; and in 1815, it had fallen to 64s. But as these prices would not indemnify the occupiers of the poor lands which had been brought under tillage during the high prices, they were gradually relinquishing their cultivation. A considerable portion of them had already been sown down with grass seeds, rents were generally reduced, and wages had begun to decline. There is not, indeed, any principle in economical science more certain and better established, than that production must cease when its expenses are no longer paid, and that it is impossible to reduce the rate of profit in any one employment below that of the other employments in the same country. But the Legislature having prohibited the importation of foreign corn, the operation of this natural principle of adjustment was unfortunately counteracted, and the price of 1817 rose to 73s. 10d. This rise was, however, insufficient to occasion any new improvement; and as foreign corn was now excluded, and large tracts of bad land had been thrown out of cultivation, the supply was so much diminished, that notwithstanding the increase in the value of money, prices rose in 1817 to 91s. 9d., and in 1818 to 81s. 1d. These high prices had their natural effect. They revived the drooping spirits of the farmers, who imagined that the corn law was at length beginning to produce the effects anticipated from it, and that the halcyon days of 1812, when wheat sold at 125s. a quarter, were about to return! But this prosperity carried in its bosom the seeds of future mischief! The increased prices necessarily occasioned a fresh extension of tillage; capital was again applied to the improvement of the soil, and the supply of corn being thus augmented, prices fell in 1819 to 73s., and, owing to the abundant harvest of last season, they have now sunk so low as 51s., at least such was the average price of England and Wales for the week ending 23d of last month! It is certain, too, that this extraordinary fall has been in no degree owing to the importation of foreign corn. The imports of 1819, did not amount to *half a million* of quarters, or to *one-eighthieth* part of the consumption, while in 1820 only a few thousand quarters of oats were imported.

Thus it appears, that the present distress is not of a nature that can be possibly alleviated by throwing increased difficulties in the way of importation. Had the corn trade been free, the prices of 1817 and 1818 could not possibly have risen so high; and as rents and wages would have been proportionably reduced, the abundant harvests of 1819 and of last year, instead of being productive only of disaster to the farmer, would have redounded as much to his advantage, as to that of any other classes of society. It is an incontestable principle, that the *higher the limit at which the importation of foreign corn is fixed the greater and the more destructive will be the fluctuation of prices*. Had importation in 1817 and 1818 been prohibited until the home prices reached 100s., it is nearly certain that the average price of these years would

have been at the very least 110s. or 120s. But this excessive price, by attracting additional capital to agriculture, and consequently increasing still farther the supplies of corn, would have sunk the present prices still lower. They could hardly on this hypothesis have exceeded 40s. or 45s. a quarter.

Much has lately been said, and justly too, in reprobation of the flagitious attempts which have been made to exasperate the different classes of society against each other. But we would beg leave to ask, whether it is possible to conceive, or for human ingenuity to devise a system better calculated than the corn laws to have this effect? These laws have set the interests of the landlords and farmers in direct opposition to those of every other class. An agriculturist has now no hope of getting rich otherwise than by the distresses of his fellow-citizens. Nor is this all. The corn laws have not merely generated such a disunion of interest as is altogether incompatible with the safety and tranquillity of the state, but they have actually turned the bounty of Providence into a curse. Formerly abundant harvests were the harbingers of universal gladness,—a blessing to the farmer, who participated in the general joy, aware that any surplus over what was necessary for home consumption would meet with an advantageous sale abroad, and that his accustomed profits, instead of being diminished, would be increased. How different is the case now! How melancholy the change! When the harvest is unusually productive, prices immediately fall; but until they have fallen 100 or 150 per cent. below the cost of production, the farmer is unable to export a single bushel.—Plenty is to him the sure forerunner of poverty, bankruptcy, and ruin!

We should never have done were we to attempt to estimate all the pernicious consequences of the corn laws. But it must never be forgotten, that the fluctuations which are inherent in the very nature of the prohibitive system, are, if possible, still more injurious to the other classes of society than to the farmer. They are in fact productive only of pure and unmixed evil. Though wages do not vary with every variation in the prices of corn, yet when prices fall very low, as they are sure to do in a country placed under the restrictive system when the crop is unusually abundant, wages always experience a considerable reduction. This arises from two causes; *first*, from the reduced price of corn, the main regulator of wages, and, *second*, from the diminished demand of the agriculturists. But low price cannot continue; for the rapid destruction of capital, and the diminishes cultivation of bad soils, by lessening the supply, will infallibly raise them to their proper level. While they are thus elevated, the farmer having succeeded during the low prices in getting his rent, wages, &c., reduced, will obtain unusually high profits; this, however, as we have already shewn, by attracting fresh capital to agriculture, will again depress prices and involve him in new misery! But, it is evident, that all the advantage gained by the farmer during the high-priced years, of this ascending and descending progression, must have been gained at the expense of the other classes. It is in truth a mere shifting of distress from the shoulders of the agriculturist to those of the consumers of his produce. “The labourer, whose wages had, during the depression of the market, gradually settled down to the level of his subsistence, must, when the produce of land recovers its value, be left without the means of procuring the necessities of life. Pauperism, with its train of degradation, misery, and vice, will thus be increased to a frightful extent. In this state of things, wretchedness, disease, and death, will begin to thin the population, and to lessen the supply of labour, until wages regain their natural level. Even when, by this painful process, the money wages of labour have been adjusted to the price of the necessities of life, the evil will not cease; but on the contrary the miserable series will again commence. For years of abundance must return; and these, with the extended tillage occasioned by the high prices, will lower the markets, from the point at which foreign corn can be introduced, to that at which exportation can take place. Hence, while the great reduction in the value of the productions of land again proves destructive to agricultural capital, and diminishes cultivation, it will give an impulse to population, lower wages once more, and lay the foundation of a frightful renewal of pauperism and misery, when a deficiency in the home supply of corn shall again recur.”—(Colonel TORRENS’ Letter to Lord LIVERPOOL, p. 13.)

But, even if it were to be conceded, that these ruinous fluctuations of prices could be avoided under the prohibitive system, — and it might with equal truth be conceded, that the Isle of Man is larger than Britain, — still it would be deeply injurious to the farmer as well as to the consumers of his produce. Provided prices are steady, it is for the advantage of the farmer that they should be comparatively low. The object that every farmer has in view, can only be to obtain the greatest possible profit from the capital he employs in cultivation. It is demonstratively certain, however, that when prices *rise* profits must diminish. *Average real prices*, of which only we are now speaking, cannot be increased otherwise than by an increased difficulty of production, but whenever the increase of the population forces recourse to be had to inferior soils, this increased difficulty is experienced, and the rest of all the soils already under cultivation is at the same

time increased. For it is plainly the same thing to a farmer, whether he pays a rent of ten quarters for a piece of land of the first quality, which, with a certain expenditure of capital and labour, will yield 100 quarters, or farms, without paying any rent, a piece of land which, with the same expenditure, will only yield 90 quarters. But it is obvious, from this statement, that the farmer would receive a much greater share of the produce of his capital, previously to prices having risen so high as to occasion the cultivation of the inferior soil than afterwards. In conformity with this principle, it is invariably found, that wherever prices are high profits are low, and conversely. The average price of corn in Britain is at least four or five times its average price in Illinois; but an Illinois farmer with a capital of £1,000 would derive from it as large profits as an English farmer would derive from a capital of £3,000 or £4,000. It is landlords, and not farmers, who reap advantage from a high real price of corn and the cultivation of bad lands. The real interests of the farmers and of the consumers are precisely the same: and a permanently high price of raw produce would not be less certainly injurious to the one class than to the other.

Of course we do not mean to affirm, that a rise of prices, if it were constant, which under the restrictive system cannot possibly be the case, might not be advantageous to the farmers during the currency of their leases. But it is clear, that whenever their leases expire this advantage is at an end, and that they must then submit to an increase of rent and a fall of profit.

It appears, therefore, that there is but one method by which the severe distresses of the agriculturists can be either mitigated or removed, and that is by gradually relinquishing the restrictive system and recurring to the sound principle of a free trade. Every thing else is downright quackery and imposition. It is not in the power of any legislative measure permanently to elevate prices; and if the Legislature do interfere, either by altering the mode of taking the averages, or otherwise to oppose fresh obstacles to importation, it will only add additional violence to those fluctuations which have been productive of so much widespread misery and distress; and which, when they occur in a highly populous and manufacturing country like England, not only compromise the existence of individuals, but deeply endanger the safety and tranquillity of the state.

Many other points of the highest importance are involved in the discussions of this question; but these we must defer to a future opportunity.

Deaf and Dumb Institution, Glasgow.

Wednesday, (Ap. 25) the Annual Examination of the Scholars of the Deaf and Dumb Institution was held in the Andersonian Lecture Room. More than an hour before the door opened, many persons were waiting for admission. The Lecture Room was completely filled before two o'clock, when the Managers entered. Lord Douglas, the Patron, sent an apology, expressive of his regret at being unable to attend. The Lord Provost presided. Both at the commencement and close of the examination, the Lord Provost in most appropriate and energetic language, expressed his admiration of the Institution, and recommended it to the care and patronage of the community. Dr. Muir (to whom this Institution is much indebted), then read a most interesting Report which he had drawn up, which is immediately to be printed at the School, (where they have types and a printing press,) five of the boys being able to set the types and print it. The children, forty-five being present, were examined by their classes, from those who entered in November last, and who are merely at the elements of instruction, to those who have been three years under tuition. The latter gave satisfactory and remarkable evidence of their proficiency. They are able to read and write, and cast accounts of some intricacy in arithmetic. In the use of the English Dictionary, and in acquaintance with the elements of Grammar, discovering the parts of speech in a sentence, they showed great expertness. They peruse the Scriptures with ease and understanding, and showed how readily they could turn up to any passage cited from them. They are completely versant in the Catechism of the Church, of their knowledge of which they gave specimens. Their articulation is wonderfully distinct, and in some of them by no means disagreeable, considering all circumstances. At the end of the examination the Teacher communicated to the children of the upper class, that it was the desire of some at the meeting that they should express, by writing on their slates, what they had seen, and what they had felt, if they chose, since the time of their entering the room. — About a dozen of them presented their slates, filled with their observations, and that in the course of a few minutes; detailing, some of them, their delight at seeing so many ladies and gentlemen; others, their joy at *feeling the noise of the feet*, as they had been told that such was expressive of approbation; others recognising among the people present, persons whom they had seen visiting them at the school; not a few of them declaring how grateful they are to those who take such pains to teach them; and almost all stating their attachment to their master, whom indeed they love as a parent.

On a Visit to St. Paul's.

(Traveller.)

What can be hop'd from Priests who, 'gainst the Poor,
For lack of two-pence, shut the Church's door;
Who, true successors of the ancient leaven,
Erect a turnpike on the road to Heaven?
"Knock, and it shall be open'd" saith our **Lord**;
"Knock, and pay two-pence," say the Chapter Board:
The Showman of the booth the fee receives,
And God's house is again a "den of thieves."

The Indian Bat or Vampyre.

Captain Stedman was, while in Surinam, attacked during his sleep by some of these animals, and as his account of this incident is somewhat singular, and tends to elucidate the fact, we shall extract it in his own language from his narrative. "I cannot here (says he) forbear relating a singular circumstance respecting myself, viz. that on waking one morning about four o'clock, in my hammock, I was extremely alarmed at finding myself weltering in congealed blood, and without feeling any pain whatever. Having started up and rung for the surgeon, with a firebrand in one hand, and all over besmeared with gore; to which, if added my pale face, short hair, and tattered apparel, he might well ask the question —

Be thou a spirit of health, or goblin damned —
Bring'st with thee airs of heaven, or blasts from hell?

"The mystery, however, was, that I had been bitten by the Vampyre, or scrope of Guinea, which is also called the flying-dog of new Spain, and by the Spaniards perro-volador: this is no other than a bat of a monstrous size, that sucks the blood from men and cattle while they are fast asleep, even sometimes till they die; and as the manner in which they proceed is truly wonderful, I shall endeavour to give a distinct account of it. Knowing by instinct, that the person they intend to attack is in a sound slumber, they generally alight near the feet, where, while the creature continues fanning with his enormous wings, which keeps one cool, he bites a piece out of the tip of the great toe, so very small indeed, that the head of a pin could scarcely be received into the wound, which is consequently not painful; yet through this orifice he continues to suck the blood until he is obliged to disgorge. He then begins again; and thus continues to suck and disgorge until he is scarcely able to fly; and the sufferer has often been known to sleep from time to eternity. Cattle are generally bit in the ear, but always in places where the blood flows spontaneously. Having applied tobacco ashes as the best remedy, and washed the gore from myself and hammock, I observed several small heaps of congealed blood all around the place where I had lain, upon the ground; on examining which the surgeon judged that I had lost at least twelve or fourteen ounces during the night."

Europe Births.

At Knayton, near Northallerton, lately the wife of a labouring man, named Parkinson, of three boys, who are, with the mother, doing well. The boys are christened by the name of Mathew, Mark, and Luke. A number of presents have been sent to the parents since this event took place. — *Tyne Mercury*.

Europe Marriage.

Monstrous Marriage.—At Beer' Regis, Mr. Robert Shepherd, Methodist Preacher, aged 86, to Miss Catherine Singleton, aged 27!! There were upwards of 400 persons at the church to witness the ceremony.

Europe Deaths.

On the 5th of March, on board the ship Pilot, on his passage from India, George Lawson, Esq. Assistant Surgeon, of the Honorable East India Company's Service, eldest son of George Lawson, Esq. of Cupar-head, Old Monkland, justly and deeply regretted by his relations, and all who had the pleasure of his acquaintance.

On the 25th April, at Ipswich, by the Rev. John Thomas Nottidge, the Rev. Charles Bridges, B. A. of Queen's College, Cambridge, to Harriet, youngest daughter of the late John Torlesse, Esq. of the East India Company's Service on the Bombay Establishment.

On the 17th April in Sloane-Street, Lieutenant Colonel George Smith, of the Honorable East India Company's Service, in the 83d year of his age.

On the 24th April, at his apartments, in Bennet-street, St. James's, after a very long and severe illness, which he sustained with exemplary patience and fortitude, John Wood, Esq. late Commander of the Hon. East India Company's ship *Marquis of Wellington*.

ASIATIC DEPARTMENT.

—189—

Liberty of the Indian Press.

Lex bona censeri possit, qua sit intimatio certa, praecepto justa, exactione commoda, cum formâ politice congrua, et generans virtutem in subditis.—BACON.

To the Editor of the Calcutta Journal.

SIR,

It is not from any little feeling of literary triumph, which would on this occasion be wholly misplaced, that I entreat you to immolate VINDEX, as you did PERDICAS, by reprinting his Reply to my last Letter.* It is to speed the good cause, and to contribute my mite towards gratifying the interest which the British Public take in a question, which, inasmuch as character and person are dearer than property, transcends in importance all others that ever came under their consideration. It is said by Foster, that "no rank, no elevation in life no conduct how circumspect soever ought to induce any reasonable man to conclude that the penal system doth not, nor possibly can concern him." But there is no part of the penal system on the administration of which Englishmen look with so much jealousy as that which regards the punishment of *Libel*; not merely on account of the recurrence of individual instances of judicial severity, but because such vindictive inflictions threaten to unnerve the Press as much as the control of an Inspector, under which, says Blackstone, "IT NEVER CAN BE USED TO ANY GOOD PURPOSE." And if *ex-officio* informations, special juries, and the restrictions and penalties imposed by the late act, have this tendency, in what state of thralldom and impotence must the Indian Press be if *Summary Transportation without Trial* were suspended as by a hair over its head; as PERDICAS and VINDEX maintain that it is and ought to be!

According to VINDEX, every person who misbehaves, is to be cast out from among us who never misbehave, is to be torn *radicitus* from his *home* in this country, by whatever ties of property, taste, or affection, he may be connected with it, and sent to starve at *home* in England. And who is to be sole judge of the misbehaviour? The Governor General. And the Governor General, VINDEX leaves us to suppose, is to be judged only by God and his own conscience; all that Lord MANSFIELD and Lord Chief Baron EYRE say to the contrary, being *verbiage, affected sophistry, infantine babbling, absurd commentaries*, and, not to lose one of the flowery sweets of the parterre, *vain prate and mystical jargon*, or, to sum all in one word, *Radical*.

This was the language that JAMES I. used. There was not one act of oppression, meanness, or folly, that he was not ready to "avow before God;" even taking the *lives* of his Scotch subjects who "misbehaved" by speech or writing; for in England not even the Star Chamber could enable him to carry his vengeance as far as he wished. A few instances will show what security the subject may expect from this sort of responsibility. Francois Tennent, for writing a seditious pasquinade against the King, in 1600, was sentenced "to be taken to the Cross of Edinburgh, and his tongue cut out at the root; that a paper be fixed on his brow, denoting him to be the author of *wild and seditious pasquils*, and that he then be taken to a gallows, and hanged till he be dead." By a subsequent warrant His Majesty was graciously pleased to declare, he was content that the prisoner should only be hanged. Archibald Cornwall for attempting to hang up the King's picture on the gallows, at Edinburgh, in 1600, was sentenced

ed to "forfeit life, lands, and goods, and to be taken to the said gibbet, whereupon he pressed to hang his Majesty's portrait, and there to be hanged quhill he be dead, and to hang thereupon by the space of twenty-four hours, with an paper on his forehead, containing that vile crime committed by him." John Fleming, for slanderous, or as laid in the indictment, "treasonable, blasphemous, and damnable" *speeches* against the King, was sentenced to be hanged at the Cross of Edinburgh, and his moveable goods to be forfeited. Thomas Rois, an Englishman, and author of a Latin pasquinade against the Scots, was illegally sent into Scotland to be tried, in 1618, and sentenced to be taken to the Cross of Edinburgh, and his right hand struck off; and thereafter his head to be struck from his body, his hand to be put upon the West Port, and his head on the Netherbow. Such were the bloody deeds of which JAMES was conscious when he made his Speech to Parliament in 1634. Indeed, such is the madness of mankind that they will confide those criminal projects to the Deity, which they dare not avow before men. *Turpissima vota* *Duis inserviant: si quis admovebit aurem, coniaceant; et quod scire homines nolunt, Deo narrant.*

If the power of Summary Punishment without Trial be so expedient, why does it not extend to *Eurasians*? They have some grounds for dissatisfaction, they labour under several disabilities, they are impelled by various motives to attempt the introduction of considerable changes in the present system of things; yet whatever "misbehaviour" may be imputed to them, *Transmission* cannot touch a hair of their heads! Is it possible to imagine that the Legislature could have intended so great an inconsistency as is here supposed to obtain?

If *Censorship* be illegal, it must be because we have the same right to a Free Press that is possessed by our fellow subjects in England; but a legal right to a Free Press and the legality of *Transmission* are things that cannot coexist. If the Legislature had been pleased to deprive us of one part of an Englishman's birth-right, it might have declared the disfranchisement by a law which might have contained one of the *five* ingredients which, according to Lord Bacon, go to the constitution of a *good* law, for *one* only of the five could possibly have belonged to it; it might have contained *intimationem certam*. Instead of such clear and definite intimation, the general words under which the legality of *Transmission* is supposed to lurk, are rather descriptive of *absolute proscription*, such as authorizes any one to shoot or stab the unfortunate Outcast with impunity. The wretch who is doomed to *Transportation without Trial* is declared to have *FORFEITED HIS CLAIM TO THE COUNTENANCE AND PROTECTION OF THE GOVERNMENT*; and this forfeiture, the *Transmissionists* maintain, may be incurred for an act which has been submitted to no judicial examination, and which may therefore be blameless or even laudable! If the forfeiture and consequent banishment were only to befall those who had been *convicted* of some offence, and received judgment, in a Court of Justice, even then there would be an unjust and illegal aggravation of punishment; but are the injustice and illegality diminished because the banished person has not been convicted in a Court of Justice, and may therefore be innocent of all crime whatever, and the strongest presumption of whose innocence is afforded by this very extra-judicial proceeding against him? Under this concurrent jurisdiction of Criminal Law and Criminal Equity, it may so happen that one man shall be convicted in a Court of Justice *without* forfeiting the countenance of Government; while another who *could not* be convicted in a Court of Justice shall suffer all the penal consequences of such forfeiture. And this contrariety of treatment has actually happened. Some fifteen years ago, a man of high rank, a Secretary to Government, was convicted of an assault with intent to commit a rape on a lady of unsullied reputation. For this piece of "misbehaviour," the "vagabond" Secretary was fined and imprisoned; but in due time the prison yielded up its inmate, and the Secretary resumed the functions of his high office. On the other hand, Mr. McClean, without trial, without offence in the eye of the law or of morality, —for a just and praise-worthy act whence much good *ought to* have resulted,—forfeited the countenance and protection of

*To the Editor of John Bull in the East.

SIR,

In reply to Nomos' five columns of verbiage and affected sophistry, I have merely to repeat my question—Does or does not the English Statute Law empower the Governor General to send home a British subject misbehaving; and if so, who is to be the judge of that misbehaviour; the Governor General, or any meddling individual of the community? I say the Governor General, and I say so, because the charter granted to the East India Company says so. This is my position; and as long as the law remains unrepealed, so long will that position remain valid, in spite of all the infantine babbling and absurd commentaries of the Columbian Press-Gang.

VINDEX.

September 10.

Calcutta Journal.—Vol. 5.—No. 249.

—190—

Government, was dragged from his home, his occupation, his friends, transported across the seas to England, and there told that the world was all before him where to choose, except that spot which contained his home, his settled and assured means of independent livelihood! He might dig or beg.

Such are the blessed fruits of *Transmission*! And what does VINDEX think of them? Even what the existing Government is pleased to dictate or to hint. He neither presumes to run before, nor to refuse to follow. If Government forbears, it is magnanimous; if it strikes, it is a dignified exercise of legitimate power. According to circumstances of time and person, guilt assumes various shapes and colours. Do you see yonder cloud, that is almost in shape of a camel? *By the mass, and 'tis like a camel, indeed.* Methinks, it is like a weasel. *It is backed like a weasel.* Or, like a whale? *Very like a whale.*

The illegality of *Transmission* consists in the redress which the Law will give for the injury inflicted. But that consideration takes little or nothing from the infinite force of those which recommend the express revocation of the power of transmitting, after adjudication of forfeiture of the countenance and protection of Government. When that day arrives, a day scarcely less desirable for the Rulers than for the subject community, Government may boast, as every English Government ought to be able to boast, that it has much power to do good, but none to do evil: and until that day arrives, all good and loyal men will pray that the power in question may continue to lie dormant.

September 17, 1821.

NOMOS.

Madras and the Cape.

Madras, Sept. 1, 1821.—In the afternoon of Thursday, August 30, arrived His Majesty's Sloops of War *Satellite* and *Sophie*, from Portsmouth, the former the 18th March, and the latter the 22d April.

Among the various Distresses sustained by Individuals from the calamitous Shipwreck of the *Lady Lushington*, none appear to be more pitiable than that of Madame Rousseau and her Daughter.—Her Husband and another Child perished with the Ship, and these two Ladies floated to the shore on a piece of the wreck, and found themselves bereft at once of every stay,—in a Strange Land, without Cloaths, Money, or Friends, and unacquainted with English, or any Language of India! It has been proposed to raise a small sum for these unfortunate Ladies, to enable them to repair to Pondicherry, and from thence to their native native place, the Isle of Bourbon.—Contributions will be received by Messrs. Arbuthnot and Co. and Messrs Binny and Co.

We learn from good authority, that His Majesty's 34th Regiment is about to proceed to England.—*Madras Gazette.*

Cape of Good Hope.—The following is an Extract of a Letter, received in Calcutta, via Madras, from a Passenger on board a Ship from India to England, dated Cape Town, June 14, 1821.

"I was much surprised, on inquiring respecting the Algoa Bay Settlers, to learn that many have failed both in funds and views; some have left their lands and returned to Cape Town in a miserable plight; much misery has been felt, in consequence of the failure of the crops by blight, and Government were obliged to put the Settlers on rations. Broils and civil dissensions run high—to quell the former, the Military were sent by forced marches to keep order, and on the latter subject the Courts of Law are now deciding. However it will take some time before a correct judgment can be formed, whether this plan of Government to soften the lot of many poor creatures, who ventured to leave England, in search of plenty and happiness, will succeed."

HIGH WATER AT CALCUTTA THIS DAY.

Morning,.....	9 0
Evening,.....	9 24
Moon's Age,	23 Days.

Improvement of Calcutta.

To the Editor of the *Calcutta Journal.*

SIR,

As your pages are open to every thing connected with the interests of the Indian Public, and you have so often shown an interest in the welfare of your fellow-citizens, especially by giving insertion to Letters respecting the Improvement of Calcutta, I hope you will also spare me a corner. I think I have the more right to make this request, because while your Correspondents often complain of Nuisances that ought to be removed, some of them seem more sensible of the few evils that detract from their happiness than of the many blessings they enjoy; and therefore are more ready to complain of what is wrong than to express their gratitude of what is making right. At the same time your own occasional remarks on local affairs clearly prove that it gives you more pleasure to find matter for commendation than to give vent to complaints; which, however just, and, it may be, necessary, to effect the removal of a grievance, are apt to give offence where they were meant merely to excite attention, and thus draw odium on the individual who volunteers to become the channel through which they are conveyed. Those who state grievances and suggest remedies are commonly misinterpreted as querulous Cynics or peevish Malcontents, who have the arrogance to dictate to their Superiors; whereas they might really mean nothing more than a gentle and friendly admonition: while on the contrary the person who expresses approbation is set down as a flattering Parasite who insults the understanding of the person whose conduct he may in the sincerity of his heart justly commend, as if he supposed the person praised capable of being influenced by mean adulation. Good God! are we arrived at that pitch of hypocritical refinement that a man cannot express the honest sentiments of his heart regarding matters that affect the lives and happiness of his fellow-men, —be they sentiments of praise or of disapprobation—without incurring the charge of being a censorious Caviller at the doings of his Superiors, or a flattering Parasite? I know the real value of such misrepresentations, and therefore entirely disregard them.

While the Public feel warmly the blessings they enjoy, and the numerous benefits they have derived from living under the administration of our present excellent Governor General and Government, they are perhaps not fully aware of the further benefits they are about to derive from the same source. The Lottery or Road Committee (acting under the authority of Government) have commenced and are already considerably advanced with two elegant New Roads: one, running East and West, is to lead from the Chowringhee Road or the North of Miss Thornton's School to the Circular Road; and the other, running South and North, is to lead from the Burying-Ground Road to Colinga Bazar. There are besides these two or three New Roads making, widening, and improving, to the west of the Free School. The benefits of these Roads are very gratefully felt by the Inhabitants in that quarter; and I may mention a few of the many advantages resulting or likely to result from them.

First.—Several dirty Ponds in that quarter being filled up and other Nuisances being removed, the Town in general and particularly the South part of it, in the immediate vicinity, must be rendered more wholesome, and the Inhabitants more healthy, especially at this season of the year, than formerly.

Secondly.—The Road leading East and West will remove the Kill-khanuh, or Slaughter House, which has been long complained of and felt as an intolerable Nuisance by those living in the vicinity.

Thirdly.—The Inhabitants of that quarter as well as of other parts of Calcutta will be enabled to proceed much more safely, and often more expeditiously by this Road than they could formerly do by any other.

Fourthly.—Even now that some of the Roads are but commenced, the value of property in the neighbourhood has risen from 150 to 250 and 300 Rupees per Cottah; and when the whole of these Roads are finished, which some of them already are, and

Tuesday, September 18, 1821.

—191—

the full effect of the Improvements is seen, it is probable that land in this part will become still more valuable.

These measures of the Committee to promote the Improvement of Calcutta, and the welfare of their fellow-citizens deserve in my opinion the gratitude of the Public; and the labour, zeal, and indefatigable exertions of some of them, (whom only delicacy prevents me from naming) to which I myself have been an eye-witness, deserve the highest praise. The Public are, I am confident, duly sensible of the obligation they are under as well to the public-spirited individuals who immediately direct these Improvements, as to the high personage under whose countenance and authority they are carried into effect. I request to be permitted through your Paper to express my individual feelings on the subject, which I doubt not are participated by many of my fellow-citizens.

September 10, 1821. AN INHABITANT OF CALCUTTA.

Phenomenon at Mangalore.

To the Editor of the Calcutta Journal.

SIR,

A luminous body passed over Mangalore yesterday evening, at about half past 8 o'clock with immense velocity, from the South East. In shape it bore the appearance of a Comet, as we see it designed in Engravings, in its passage through the air; but as it descended to the N. N. W. it spread into a glorious blaze, which lasted five seconds or thereabouts.

The first shape, on its being discerned, is detailed, as given to me from others, who saw it, thus:—I was lying down with my eyes closed, but perfectly awake, on a cot near a venetian window, when a sudden blaze caused me to jump up. On looking through the open venetians, I saw a vast space of the Country around, and the Sea, as distinctly as at noon in a fine clear day; although the light was tinged with an indescribable coloring. At the moment I arose, I felt a difficulty of breathing, but there was no sulphureous smell. I looked out whilst the blaze lasted, a space, I am inclined to think, of 5 seconds. I lay down again, revolving in my mind whence this light proceeded. It was not that of any common sensation which lightning at times will create, or the sudden flash from guns fired when the ordnance is concealed, and unexpected. This, however, I merely considered for a minute, and forgot it. After the blaze had disappeared, about four minutes, as nearly as I can recollect, (for I made a memorandum half an hour after the first surprise,) an explosion, as if a full battery of heavy guns had been fired at once, took place. The loudest thunder I have ever heard was as a pistol to a great gun in comparison! I arose, and went into the Garden, the Heavens were perfectly clear, the reverberations from the Country around were awfully loud and grand, and the sound lasted some seconds, dying away to the Northward. The same sensation was experienced by two Peons on guard, whilst neither of them observed the rise or passage of the Meteor, which other Natives did. It was observed nearly about the same period 45 miles North from Managalore, by a Gentleman, but the exact time is not known.

The scite from whence my observation was made, is about 130 feet above the level of the Sea. In the Cantonment below, and about 50 feet above the Sea, I understand it was observed somewhat differently.

I am promised a description and history of this Phenomenon by the learned Natives here, which, if worthy your notice, shall be forwarded; my own is as it occurred to me, and is at your service, if you think it worthy of publication, unequal as I am to the task, of explaining the grandeur or nature of this Meteor.

The weather during the day was alternately cloudy, with rain and fair weather.

I observed no great alteration during the night, and the remainder of it was, as is usual here, heavy showers and fair, until to-day, when it became clearer.

Mangalore, August 22, 1821.

A WELL-WISHER.

Inland Duties.

A. D. 1821.—MADRAS REGULATION V.

A Regulation for authorizing Collectors to Rent out the Levy of the Inland Duties, in the Districts under their management, rescinding Regulation XIV. of 1809, and for modifying some of the Rules of Regulation I. of 1812.—Passed by the Honorable the Governor in Council of Fort St. George, on the 29th June 1821.

Whereas the fraud committed in the Levy of the Land Customs, and the consequent loss experienced in the realization of that branch of the Revenue, render it desirable to revert to the practice which formerly obtained of Renting out the Collection of Land Duties in Districts in which that system can be now introduced with advantage. And whereas it is expedient that Regulation XIV. of 1809, which established a monopoly of Salt-petre, and Section XVIII. Regulation I. of 1812, which permitted the issue of Muaffee Rowannas should be rescinded. The Governor in Council has enacted the following Rules to be in force from the 12th day of July next ensuing:—

I. Collectors are empowered to rent, under the orders of the Board of Revenue, the General Inland Duty, of which the levy is prescribed by Section III. Regulation I. of 1812, in all the Districts subject to the Presidency of Fort St. George, in which it may be deemed expedient by the Governor in Council to introduce that system of management.

II. The rents shall be granted inclusive or exclusive of the duties collected on the frontiers of Foreign European States, and of the duties levied under Regulation VI. of 1812, as the Board of Revenue may determine.

III. The general inland duty and other duties when rented out shall be collected by the renter, in conformity with the provisions of the General Regulations for the levy of these duties, except in as far as the same may be modified by the present enactment.

IV. First.—Cowles approved by the Board of Revenue shall be granted to renters of the Customs: and Mochilkas, being counterparts of the Cowles, shall be executed by the renters and deposited in the office of the Collectors.

Second.—The collection of duties by any renter or by any person on his account, at any but the Chokies enumerated in his Cowle, and established according to Section V. Regulation I. of 1812; or the breach of any of the other stipulations in the Cowle, if proved to the satisfaction of the Board of Revenue shall be declared to void the agreement, and to authorize the Collector under the Board's Orders to resume the rent.

Third.—The Cowles to be granted to renters, and the Mochilkas, which they will execute to the Collectors for the rent of the Custom duties, shall be written upon stamped paper of the value prescribed in Section XI. Regulation XIII. of 1816.

V.—Regulation XIV. A. D. 1809, is rescinded, and the articles of Salt-petre and Gun-powder will be passed with the same Rowana as all other goods. The transit of the latter article is however to be subject to the restriction declared in Section XV. Regulation I. of 1812.

VI.—The rules of Section V. Regulation II. of 1817, are hereby declared applicable to the transit of Goods under Rowanas to be granted by renters of the Customs under their seal and signature. Blank Rowanas shall be issued to the renters by the proper Officers of Government, on payment being first made for the same by the said renters.

VII. First.—When renters may seize goods for having passed the Chowkies without payment of duties, they shall immediately report the seizure to the Collectors, who will proceed thereupon in the mode prescribed by Sections XIX. and XX. Regulation I. of 1812.

Second.—The rights of the renter in regard to smuggled goods are declared to be,—first, the receipt of the Government,

Calcutta Journal.—Vol. 5.—No. 249.

—192—

Customs due on such goods; and secondly, in the event of the goods being confiscated, or of double or treble duty being ordered to be levied, the receipt of such portion of the proceeds of sale, or of the surplus duty as would be granted to the informer under Section XX. Regulation I. of 1812. The actual seizers, whether the Officers of the renter or others, will receive, under the orders of the Collector, the share allotted by the Regulation to Officers making the seizure.

VIII.—In districts in which the Customs are rented, the powers vested in Magistrates by Section XXI. Regulation I. of 1812, and declared in Section XLIV. Regulation IX. of 1816, to be exercisable only by the Criminal Judges, shall be considered vested in the Magistrates.

IX.—The provisions of Section XXII, XXIII and XXIV, Regulation I. of 1812, are hereby extended to the punishment of all persons employed by the renters of the Customs, and to all persons unduly and unauthorizedly making collections in the name, and under the pretended authority of the renters.

X.—Section XVIII. Regulation I. of 1812 is hereby rescinded.

Invitation.

PARAPHRASED FROM THE SONG OF SOLOMON

Arise, my love—dear maid arise,
Hasten, hasten, come away,
The wintry clouds are gone, and the skies
Are joyous as thine own blue eyes;
The rains are o'er, and a sweet spring day
Greets you with all its opening flowers,
Lovely, as if the passing showers
Had left their rainbows on the earth
To tint the buds as they blossom'd forth.
Through the sparkling air the birds rejoice,
And flutter upon careless wing,
Greeting the leafy time of spring;
The tender grape, the pale green vine,
The violet, and Syrian rose,
Sweet basil, and each plant that grows,
From the dewy primrose of the vale
To the giant cedar that dwells alone
On the misty hill of Lebanon,
Mingles rich perfumes in the gale,
Whose breath is still less sweet than thine.

BERNARD WYCLIFFE.

Shipping Arrivals.

MADRAS.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
Aug. 30	H. M. S. Satellite	British	A. L. Corry	Portsmouth	Mar. 18
30	H. M. S. Sophie	British	G. French	Portsmouth	Apr. 22

BOMEAY.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
Aug. 21	Cadmus	British	R. Appleby	London	April 6
29	Mullock-el Bhur	Arab	P. M. David	Judda	July 26

The Ships *James Scott*, Captain R. Boon, *Susan*, Captain J. C. Collingwood, and *Amorah*, Captain T. Winter, are expected to sail for China, in a day or two.

Nautical Notices.

The Honorable Company's Extra Ship *Providence* reached the Cape on the 10th of July, all well, on her way to London. Letters received from her via Madras, mention that Mordannt Ricketts, Esq. Agent to the Governor General at Moorschedabad, a passenger on the Ship, was quite recovered.

The Ship *Bengal Merchant* anchored in Simon's Bay on the 4th of June, all on board in good health.

Marriages.

On the 17th instant, at St. John's Cathedral, by the Reverend D. Corrie, Richard Lavallin Nugent Irvine, Esq. Lieutenant in His Majesty's 87th Regiment, to Miss Mary Anne Williams.

On the 17th instant, at St. John's Cathedral, by the Reverend D. Corrie, Poyntz Stewart, Esq. M. D. Civil Surgeon, Howrah, to Miss Statham, daughter of Captain Robert Monteath Statham, of the St. Helena Establishment.

On the 15th instant, at St. John's Cathedral, by the Reverend J. Parson, Lieutenant Andrew Suter, of His Majesty's Royal Scots, to Miss Eliza Mercer.

On the 15th instant, at St. John's Cathedral, by the Reverend J. Parson, Mr. George Chiene, Shipwright, to Miss Maria Passos.

On the 13th instant, at St. John's Cathedral, by the Reverend J. Parson, Mr. Daniel Rodolphus Hodgkinson, Assistant Apothecary, of the Honorable Company's Service, to Miss Mary Ann Forth.

At Nusseerabad, on the 25th ultimo, by Brigadier General Knox, Commanding at that Station, C. W. Welshman, M. D. to Miss Charlotte Eliot.

Births.

At Gornockpore, on the 6th instant, the Lady of Robert Mertins Bird, Esq. of the Civil Service, of a Son.

At Madras, on the 30th ultimo, the Lady of E. B. Wrey, Esq. of the Honorable Company's Civil Service, of a Daughter.

At Cannanore, on the 18th ultimo, the Lady of Major J. Leslie, Commanding His Majesty's 60th Regiment, of a Daughter.

Deaths.

On the 17th instant, Mr. J. F. Landeman, aged 23 years, deeply regretted by his relatives and Friends.

On the 12th instant, R. A. St. Leger, Esq. son of the Honorable General St. Leger, aged 25 years, 8 months and 14 days.

On the 12th instant, Mrs. A. E. Beaumont, wife of the late Mr. John Montgomery Beaumont, aged 35 years.

On the 14th instant, Mrs. Anna Kent, wife of Mr. C. M. Kent, aged 30 years and 16 days.

On the 14th instant, Baboo Rajekissen Bysack, youngest son of the late Baboo Govindchund Bysack, much regretted by his relations and friends.

On the 14th instant, Mrs. Maria De Conceicao.

At Gornockpore, on the 6th instant, Jane Grant, wife of Robert Mertins Bird, Esq. of the Civil Service.

At Vepery, on the 29th ultimo, after a long and trying illness, Mrs. Anne Hughes, aged 50 years.

At Biddedy, near Bangalore, on the 27th of May last, Harriet,—and at Vepery, on the 25th ultimo, Caroline, the two youngest Daughters of Mr. Conductor W. G. Talbot.

At Kandy, on the 9th ultimo, after a severe illness, in the 37th year of his age, Edward Tolfrey, Esq. of His Majesty's Civil Service in that Island, and Judicial Commissioner for the Kandyan Provinces. Mr. Tolfrey was one of those Gentlemen sent out to Ceylon on the first Establishment of the Civil Service in 1801, and in the several situations which he held under Government, performed his duties with credit to himself and utility to the public. In private life his amiable and friendly disposition secured to him general esteem, and his loss to those who were most intimately acquainted with him is proportionate to their means of appreciating the value of his friendship.

At Paltoopani, while on a shooting excursion on the 7th ultimo, of a bilious fever, aged 23 years, Henry John St. John, Esq. third son of Lieutenant General the Honorable Frederick St. John, and Nephew of Earl Craven, and Lord Viscount Bolingbroke and St. John. Although Mr. St. John had but recently arrived in Ceylon, appointed to the Civil Service of the Colony, the many amiable traits in his character and disposition, untimely as has been his end, had already acquired him the good will and regard of all who knew him, and the friendship and attachment of his more immediate intimates. He can be remembered by the former but as the Gentleman in every act of his short career among them, while his constant cheerfulness, great obligingness of disposition, and the liberal character of his sentiments and conduct will long preserve, in the recollection of the latter, the loss they have sustained in his death.

At Madras, on the 24th ultimo, Lydia Maria, the infant Daughter of Mr. Joseph Rebeiro, aged 1 year and 20 days.

At Madras, on the 24th ultimo, Charles Arthur Fraser, aged 3 months and 24 days.

Tuesday September 18, 1821.

—193—

LETTER II.

Adawlut System of India.

To the Editor of the Calcutta Journal.

Sir,

It is admitted by the Author of the Pamphlet on the Adawlut System, and I think by all your intelligent Correspondents who have commented on that useful work, that the King's Courts in India are upon the whole more free from defects, and distribute substantial justice more satisfactorily, to all those who come within their jurisdiction, than any other Tribunals that have been established among us. I believe, indeed, there is but one opinion on this subject among thinking men of all descriptions; and such as take pains to enquire into the real sentiments of learned and intelligent *Natives*, who have resided much in Calcutta, will find that all concur in this favorable view of the Supreme Court; excepting only those, perhaps, who are personally connected with the Company's Courts, and here and there a dissatisfied, because unsuccessful suitor.

It is observed that the intelligent Natives who thus bear testimony to the superiority of the Judicial System established in the King's Court, invariably assign the same reasons for this preference that are dwelt on by the European writers to whom I refer: namely, the entire Independence of the Bar, and the gravity and formal Publicity of the Proceedings. They perfectly comprehend that the Counsel thoroughly identifies himself with his Client; that he is stimulated strongly to exertion by the rivalry of his brother Barristers; and that he knows his rights, and will not submit to be brow-beaten or silenced. Every man is sure that his case must be fully and fairly laid before the Tribunal; and he confides in the superior intelligence, as well as the legal knowledge of his European Advocate, for pressing the strong or keeping back the weak parts, and for duly urging the points that make in favor, while he combats those that may be adverse to the cause of his Client. In addition to all this, intelligent Natives most distinctly feel the value and force of the public eye and PUBLIC OPINION, which are fixed on every word and action of the grave Judges, and would effectually protect the Suitor or his Counsel from injustice, intemperance, or oppression, if such were likely to occur with personages, who, if they be not exempt from other men's infirmities, are at least far removed from temptation to yield to them, owing to their age, rank, and independent station, which separate them, as it were, from the mass of society.

That this view of the great advantages possessed by the Supreme Court over all other Tribunals in India, is held by educated and sensible Natives, I know from frequent intercourse with such persons; that the view is a *just one*, who will deny? I speak not from prejudice, still less from any disposition (if indeed such could be fairly supposed in an anonymous writer) to flatter the learned Body referred to. The Supreme Court well merits the eulogium, which the foregoing description of its constitution and of its estimation in the eyes of the Natives, may justly be taken to imply. The *value* of my humble praises will be appreciated when I come to speak of the defects that strike me, in the structure of that Tribunal, or the acts of its Ministers; touching which I shall use the decent but honest freedom which is my birth-right, and is besides the best safeguard and support of that estimation in the eyes of the King's subjects, which is the honorable object of ambition in all His Majesty's Courts wherever established.

The converse of the above detail of advantages possessed by the Supreme Court, will be found to comprehend the chief defects of the Company's Judicial System, even when administered by persons of great learning, industry, patience, and experience in the languages, laws, and customs of the country; and such abound in the Judicial List, especially among the Judges of the higher Courts. The fault lies not with them, but in the vices of the System itself; and these appear to be almost beyond the scope, I will not say the *reach*, of remedy; since most of them

have arisen out of the gradual, hesitating, and ambiguous manner in which we took possession of our Civil footing in India; and ventured to supersede the imperfect and corrupt Institutions which we found to prevail on our arrival. The several steps of our progress are pretty minutely and faithfully detailed by Mr. Mill, and by the Author of the Adawlut Pamphlet, whom it is needless for me to follow: they exhibit a picture of great tenderness and prudent caution, in all our successive earlier movements towards the assumption and engrossing of the Judicial Administration. It is perhaps our acquired experience of their termination in a System of comparative inefficiency, nearly unsusceptible of material improvement, that leads us *now* to repine at a degree of caution in our early Judicial Reformers, which bordered on timidity. This was probably justifiable, if not laudable, situated as they were; but it laid the foundation of great and almost inextricable difficulty to their successors: and now we cannot but regret that instead of vain attempts to patch up something of a tolerable System from the faulty and imperfect materials which were at hand, our early innovators had not gone to work more boldly. Improving on the example of our Mahomedan predecessors, might we not have prepared our materials and instruments, and beginning with the vicinity of the metropolis, have gradually introduced and extended over infinite radiations of acquired territory, a System which though not brought forth perfect at once from the head of Jove, would have been susceptible of indefinite improvement, both in principle and execution?

Instead of this process, we satisfied ourselves, from indolence or mistaken policy,* with adopting the miserable Civil and Criminal Jurisprudence which we found; we espoused the rude and involved Civil Law of the Hindoos, which was only permitted to prevail more or less among that people by the sufferance of their Moosulmaun Conquerors, the very essence of whose notions of Property makes the Sovereign universal Land-owner, and Heir-general by consequence to all his subjects, when he may please (or dare) to enforce his claim. On the other hand, we riveted on the necks of the vast Hindoo majority of our new subjects, the barbarous and ridiculous Criminal Law of the Koran, which had been thrust on them by a handful of Moosulmauns, according to the invariable practice of the victorious Armies of the Prophet.

The Battle of Buxar in 1764, was the *era* of our complete ascendancy in India: from that day, our dominion may be said to have been placed beyond serious hazard; and the subsequent efforts of the Mahomedans in Mysore and the Carnatic, or of the Mahrattas in the Dukhin, though they embarrassed and impeded our progress towards that Supremacy which we were destined to wield, (as the blind Instruments of Civilization to India in the hands of the GREAT MASTER,) were never of a nature seriously to endanger our stability: indeed they were of material service to the steady advancement of the GRAND SCHEME, by preventing a rapidity of easy progress which might have led to fatal reaction. Those impediments gave to us and our new subjects breathing time; they taught us by degrees to know and understand each other; and enabled us to consolidate and secure what was already gained, before we proceeded to fresh work. The Battle of Buxar was in fact the last great and concentrated effort of the united Mahomedan Power to preserve its Conquests from the advancing strength of the Christians, who were destined to wrest from its ruffian grip these precious possessions. Before that epoch, the French had been destroyed in the Dukhin, the Circars, and Carnatic; and the results of that great battle annihilated the power of the fugitive Subadar of Bengal, laid the Vizier of Oude for ever at our feet, and reduced the Mogul himself to live a dependant on our bounty. The field was then open to us on this side of India, without obstruction, without Rival: it rested with the English Government to go to work and legislate for its undisputed acquisitions, in whole or in part, as might seem to it most fitting. But Lord Clive's second Administration was consumed in the lesser details of misgovernment;

* I allude to the absurd fiction of a double Government, nominally exercised by the Nawab, but really by the English: a scheme of most pernicious influence on the country, but long the favorite of Lord Clive and of wiser men who succeeded him.

in squabbles with ungenerous and unconfiding Masters; in repelling or preparing for the deadly assaults that awaited his return to England; in quelling mutinies excited by the intemperate hurry of wide sweeping, if needful, retrenchments; in adding to the vastness of his more than Princely fortune; in legalizing and sharing out the sweets of inordinate Salt and Opium exactions, (at first disapproved, but in the end appropriated by his masters) and in exercising violence beyond the Law on obnoxious Individuals. *Heu quantum mutatus!* Perhaps, however, His Lordship's *forte* did never lie eminently in the walk of Legislation or Civil Government; and he was not one of those rare men who are formed to shine "in Arts as in Arms." Whatever the causes, it is at least certain that he did not profit by what seems a golden opportunity for laying the foundations of a Judicial System for the conquered and secured possessions of Great Britain, which in process of time might have naturalized among them, if not our language, at least the essential and main *principles* of our Jurisprudence; so infinitely superior to the rude and imperfect Codes, which were suffered to remain in force, and received the sanction of our adoption. Let me not be so far mistaken as to be supposed to wish that all this should have been forced on a strange country with vulgar and ignorant precipitancy; still less that the *practice* of English Law with all its formalities and technicalities, many of them absurd and inapplicable,—and all of them the growth of ages in another soil, religion, and people—should have been *suddenly* transplanted into Bengal among half-civilized Mahomedans and Hindoos. But I do maintain that the consummation and end of all our labours in India,—however remote the period—if virtuously meant and rightly directed, ought to tend and must one day terminate in planting our Laws, our Arts, our Letters, our Morals, and our Race among our Indian fellow-subjects. Such must always be the result sooner or later, when two nations are brought into intermixing contact; and when the Dominating Race is superior to the Subordinate, by an incalculable distance, in civilization and all those moral qualities which distinguish the cultivated man from the semi-barbarian or savage. If this position be correct, that great final consummation should not have escaped those who were called to legislate for the conquered country in the beginning of our Empire. They should have seen in the long vista of futurity, that while local Institutions, and actual forms of Government,—Monopolies and Companies,—Proprietors and Directors,—were all destined to be changed and to pass away in the fulness of time, India could only be firmly attached to England *at last*, by becoming a second self. As it was manifestly impossible that she could always remain, notwithstanding the intercourse of ages, in the relation of a conquered and tributary Province: the true and desirable footing of future connexion should have been held in view from the first; and every legislative measure should have been framed with an eye to its bearing on that eventual assimilation and union, which is the only true and solid footing of connexion between two countries so remote in geographical position, and to which we *must* come one day or other, and are even now making perceptible approaches. The apprehension of eventual separation in the maturity of time, ought not to have haunted the imaginations of sound and philosophical politicians, even in those ominous days of incipient irritation and bickering with our American Colonies: such an event—if not rendered impossible by climate, and a position exposed to danger from surrounding and enterprising enemies,—could not under any circumstances occur till a very distant period: and such a separation when the Colony is fully ripe for it, is an object to be desired rather than avoided.

Great allowance however is to be made—and I have said so already—for the novel position in which the English Conquerors found themselves during the first few years that elapsed, after they broke down the remnant of Mogul Supremacy on this side of India; and after the acquisition of the Dewanny left them without shadow of restraint, free to exercise whatever portions of the Civil as well as Criminal Jurisdiction they chose to assume, in their own way. The phantoms of Tribute and Surplus Revenue dazzled them and danced before their eyes, distracting their perceptions, as indeed they continue to do even at this day, with many ancient Worthies in England; though such visions—pregnant

with folly and with injury to both Countries,—are abandoned by the better race of Political Economists that have succeeded. Lured by this Ignis Fatuus, the exercise of the chief Criminal Jurisdiction was virtually abandoned to the feeble and corrupt administration of a Nawab, the *Shadow of a Shade!* Revenue was the God of the Idolatry of the day; it was worshipped with exclusive devotion, in all its shapes, phases, and ramifications; whether connected with exclusive Trade—Monopolies of Produce—Transit Duties—Land Tax—Transmission of Property—and so forth. The Civil and Fiscal branches of Judicial Administration, under such notions, necessarily came to be jealously engrossed in point of fact by the Conquerors; and the pre-existing Laws of Property, with the Revenue System of the Moguls, remained in force, in some degree through indolence, but in a great measure thro' fear of disturbing the sources from which the ample and secure streams of Revenue appeared to roll their abundant tide. There was the less temptation to interfere in Legislation, where the loadstar of those who piloted the goodly Vessel for many a day, was the exclusion of all interference from Commercial competition, or Agricultural improvement; where the theory of the System presumed that no interloping class of intelligent Capitalists should exist to stand between the Company and its nominal landholders, penury-stricken metayers, indigent artizans, enslaved Salt and Opium makers, and needy internal traffickers. Colonization was rigorously proscribed as the abhorred thing: interloping as the first of abominations. The State and its European servants on the one hand, and the Native subjects on the other, formed the sole recognized elements of this singular community. It is needless, in these more enlightened days, when Traders and Planters are permitted to scatter themselves over the Country, under a more intelligent and liberal System, to point out the absurdity and weakness of such a frame of human society. To that condition of India, however, as it prevailed for so many years, we probably owe the defects of the Judicial System adopted by our Predecessors, the vices of which haunt us at the present hour; and notwithstanding all the subsequent virtuous endeavours to piece and patch it up, present a bar of no common strength against effectual improvement.

I am, Sir, your's, &c.

September 5, 1820.

PHILO-PATRIS.

Native Books on Medicine.

To the Editor of the Calcutta Journal.

SIR,

I have lately been attempting to translate into Bengali, some portions of Dr. Thomas's Modern Practice of Physic, for the use of the Native Doctors of this Station; but I am sorry to observe, that my attempts have not by any means been so successful as I could wish, from my want of knowledge of that language.

I take the liberty to suggest, through your widely circulated Journal, the utility of such a Publication; and to add, that whoever would undertake a free Translation into the Bengali Language, of one of the standard Treatises on the Practice of Physic, (with all its different Recipés) for the use of the Native portion of the Medical Staff, would confer an essential benefit on the Public Service; at the same time he would probably be amply repaid for his labours, as there is little doubt but that the Work would meet with a speedy sale.

I am, Sir, your's, &c.

Moffussil, Sept. 4, 1821.

AN ASSISTANT SURGEON.

Deaths.

At St. Thomas's Mount, on the 24th ultimo, after an illness of only a few days, Mr. William Barlow, Deputy Commissary of the Rock-at-Troop.

At Madras, on the 25th ultimo, of the Cholera Morbus, Miss Theodosia de Silva.

At Madras, on the 30th ultimo, John Joseph, son of Mr. Nicholas Bazely.